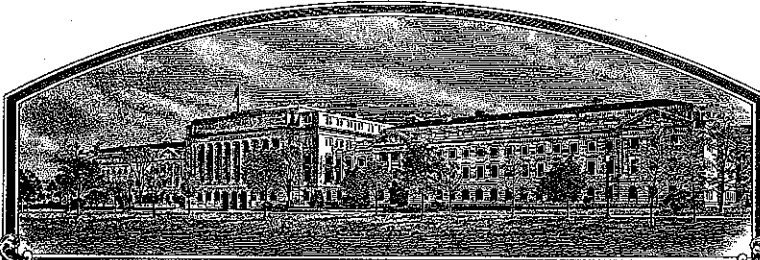


No.

200000129



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Seminis Vegetable Seeds, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED IN THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

'Tarragona'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this seventh day of August, in the year two thousand and six.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

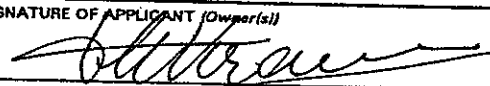
1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME
SEMINIS VEGETABLE SEEDS, INC.		GX920	TARRAGONA
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)		5. TELEPHONE (include area code)	FOR OFFICIAL USE ONLY PVPO NUMBER 200000129
37437 STATE HIGHWAY 16 2700 Camino del Sol WOODLAND, CA 95695 Oxnard, CA 93030-7967		530-669-6172	
7. GENUS AND SPECIES NAME		6. FAX (include area code)	FILING DATE
Lactuca sativa		530-666-6791	Jan. 27, 2000
8. FAMILY NAME (Botanical)		FILING DATE	
COMPOSITAE		FILING DATE	
9. CROP KIND NAME (Common name)		FILING DATE	
Lettuce		FILING DATE	
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name)		FILING DATE	
Seminis Vegetable Seeds, Inc.		FILING DATE	
11. IF INCORPORATED, GIVE STATE OF INCORPORATION		FILING DATE	
California		FILING DATE	
12. DATE OF INCORPORATION		FILING DATE	
1962		FILING DATE	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS		14. TELEPHONE (include area code)	
Thomas Kramer NUDE 54D 6702 DN Wageningen Netherlands		31-317-450-218	
		15. FAX (include area code)	
		31-317-450-217	
16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)			
<input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository) <input type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)			
17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)			
<input type="checkbox"/> YES (If "yes," answer items 18 and 19 below) <input checked="" type="checkbox"/> NO (If "no," go to item 20)			
18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?		19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?	
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?			
<input checked="" type="checkbox"/> YES (If "yes," give names of countries and dates) <input type="checkbox"/> NO			
Harvested seed of Tarragona was sold in the US on 2-3-99			
21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.			
The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.			
Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF APPLICANT (Owner(s))		SIGNATURE OF APPLICANT (Owner(s))	
			
NAME (Please print or type)		NAME (Please print or type)	
T. KRAMER			
CAPACITY OR TITLE		CAPACITY OR TITLE	
Dir. LRP			
DATE		DATE	
1/11/00			

Exhibit A

Origin & Breeding History

Tarragona originated from a plant selected from a commercial field of Desert Queen grown in Bard, California. The Desert Queen seed was grown by Genecorp in 1993 in the San Joaquin Valley of California. The seed was sold by Genecorp and planted for commercial production. The selected plant was a red oak leaf type whereas Desert Queen is an iceberg. The selected plant was removed from the field and was taken to the greenhouse in November 1994. The plant was allowed to reproduce and seed was harvested. The S₁ seed was planted in the San Joaquin Valley of California in April 1995. The progeny was observed and it was segregating for several phenotypic traits. Thirteen selections were made based on leaf type, green color, red color, and plant size. The selected plants were allowed to reproduce, seed was harvested and planted in Yuma, Arizona in September 1995. The progeny from the #3 plant selected in the previous generation was observed and it was segregating for several phenotypic traits. Two selections were made based on leaf type, leaf margin and green color. The selected plants were taken to the greenhouse and allowed to reproduce. Seed was harvested from the selected plants and was planted in the San Joaquin Valley of California in April 1996. The progeny from the #2 plant selected in the previous generation was observed. It was segregating for red and green plants, the red plants were removed and the green plants were allowed to reproduce. Seed was harvested and planted in Yuma, Arizona in September 1996. The progeny was observed and three selections were made based on color, leaf margin and leaf shape. The selected plants were removed from the field and taken to the greenhouse where they were allowed to reproduce. Seed was harvested and planted in the San Joaquin Valley of California in April 1997. The progeny from the #1 plant selected in the previous generation was observed. It appeared uniform and had very desirable characteristics. The seed was harvested in bulk.

A trialing program began in the southwest and west in 1997.

Tarragona is uniform and stable without any variants or off-types noted in three sexual reproductions made in 1997, 1998 and 1999.

The most likely parents of Tarragona would be Desert Queen and a red oak leaf. An outcross could have occurred in the seed production field of Desert Queen or in the stock seed field of Desert Queen. Several varieties of lettuce are grown for seed in the same field and it is likely an insect could have transferred the pollen from one plant to another.

Exhibit B

Statement of Distinctness

'Tarragona' most closely resembles 'Frillice' but differs in having a darker green color. 'Tarragona' has a color of 137B on the RHS colour chart as compared to 146A for 'Frillice'. **'Tarragona' was measured against its most similar cultivar 'Frillice' in replicated field trials at the 6th leaf stage for leaf color (using a RHS color chart) for leaf margin incision, and at maturity for days to 15 cm (Table 1). Results for leaf margin incision indicated a significant difference between the two cultivars at the 95% confidence level. Results for leaf color and days to 15 cm also showed strong differences between the two varieties.**

The deep incisions of the leaf on 'Tarragon' began at the basal part of the leaf. (See enclosed photo.)

Table 1. Evaluation of cv. Tarragona and the most similar cultivar, cv. Frillice, for color, leaf margin incision, and days to 15 cm.

Trial No	Cultivar	Rep No.	Color ^a	Leaf	
				Margin Incision. ^b	No. of Days to 15 cm ^c
Trial 1: Evaluated: 5 May 05 Gonzales, CA	cv. Tarragona:	Rep. 1	137B	3.2±0.1	53
		Rep. 2	137B	3.2±0.1	54
		Average:	137B	3.2±0.1	54
	cv. Frillice:	Rep. 1	146A	0±0	73
		Rep. 2	146A	0±0	73
		Average:	146A	0±0	73
Trial 2: Evaluated: 17 May 05 Chualar, CA	cv. Tarragona:	Rep. 1	137B	3.1±0.1	55
		Rep. 2	137B	3.2±0.2	53
		Average:	137B	3.2±0.2	54
	cv. Frillice:	Rep. 1	146A	0±0	74
		Rep. 2	146A	0±0	75
		Average:	146A	0±0	75

Range of variation among means of statistically significant differences at the 95% level using the confidence interval [C] = mean ± (SDXSE):

cv. Tarragona	3.18 to 3.22
cv. Frillice	0.0 to 0.0

^a Color evaluation was done using the Royal Horticultural Society color chart, U.K.

^b Mean leaf margin incision depth using the 6th leaf from two sowing dates of 20 plants per replication in cm ± standard deviation.

^c Mean number of days until stem reaches 15 cm using two replications of 20 plants each.

OBJECTIVE DESCRIPTION OF VARIETY
LETTUCE *Lactuca sativa*

NAME OF APPLICANT (S) Seminis Vegetable Seeds, Inc. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 37437 State Highway 16 Woodland, CA 95695	FOR OFFICIAL USE ONLY
	PVPO NUMBER 200000129
	VARIETY NAME
	EXPERIMENTAL DESIGNATION

Place numbers in the boxes for the characters which best describe this variety. Measured data should be the mean of an appropriate number (at least 10) of well spaced plants. Royal Horticultural Society or any recognized color standard may be used to determine plant colors.

The location of the test area is: Yuma, Arizona	Color System Used: RHS
--	---------------------------

1. PLANT TYPE: (See list of suggested check varieties page 4.)

01	01=Cutting/Leaf 02=Butterhead 03=Sibb 04=Cos or Romaine	05=Grest Lakes Group 06=Vanguard Group 07=Imperial Group 08=Eastern (Ithaca) Group	09=Stem 10=Latin 11=OTHER
----	--	---	---------------------------------

2. SEED:

COLOR	LIGHT DORMANCY	HEAT DORMANCY
2 1=White (Silver Gray) 2=Black (Gray Brown) 3=Brown (Amber)	2 1=Light Required 2=Light Not Required	1 1=Susceptible 2=Not Susceptible

3. COTYLEDON TO FOURTH LEAF STAGE: NOTE: Provide a color photograph or photocopy of the fourth leaf from 20 day old seedling grown under optimal conditions.

2 SHAPE OF COTYLEDONS: 1=Broad 2=Intermediate 3=Spatulate

3 SHAPE OF FOURTH LEAF:

1 2 LENGTH/WIDTH INDEX OF FOURTH LEAF: LW x 10

6	APICAL MARGIN:	1=Entire	4=Moderately Dentate	7=Lobed
5	BASAL MARGIN:	2=Crenate/Gnawed	5=Coarsely Dentate	8=OTHER (specify)
		3=Finely Dentate	6=Incised	
4	UNDULATION:	1=Flat	2=Slight	3=Medium
				4=Marked
4	GREEN COLOR:	1=Yellow Green	3=Medium Green	5=Blue Green
		2=Light Green	4=Dark Green	6=Silver Green
	ANTHOCYANIN:			7=Gray Green
1	DISTRIBUTION:	1=Absent	3=Spotted	5=OTHER (specify)
		2=Margin Only	4=Throughout	
	CONCENTRATION:	1=Light	2=Moderate	3=Intense
2	ROLLING:	1=Absent	2=Present	
3	CUPPING:	1=Uncupped	2=Slight	3=Markedly
3	REFLEXING:	1=None	2=Apical Margin	3=Lateral Margins

4. MATURE LEAVES (observe harvest-mature outer leaves):

NOTE: Provide color photo of harvest-mature leaves which accurately shows color and margin characteristics.

MARGIN:

3	INCISION DEPTH: (deepest penetration of the margin)	1=Absent/Shallow (Dark Green Boston)	2=Moderate (Vanguard)	3=Deep (Great Lakes 659)
3	INDENTATION: (finest divisions of the margin)	1=Entire (Dark Green Boston) 2=Shallowly Dentate (Great Lakes 65)	3=Deeply Dentate (Great Lakes 659) 4=Crenate (Vanguard)	5=OTHER (specify)
3	UNDULATION OF THE APICAL MARGIN:	1=Absent/Slight (Dark Green Boston)	2=Moderate (Vanguard)	3=Strong (Great Lakes 659)
4	GREEN COLOR:	1=Very Light Green (Bibb) 2=Light Green (Minetto)	3=Medium Green (Great Lakes) 4=Dark Green (Vanguard)	5=Very Dark Green 6=OTHER
ANTHOCYANIN (grown at or below 10 C):				
1	DISTRIBUTION:	1=Absent 2=Margin Only (Big Boston)	3=Spotted (Calif. Cream Butter) 4=Throughout (Prize Head)	5=OTHER (specify)
	CONCENTRATION:	1=Light (Iceberg)	2=Moderate (Prize Head)	3=Intense (Ruby)
1	SIZE:	1=Small	2=Medium	3=Large
1	GLOSSINESS:	1=Dull (Vanguard)	2=Moderate (Salinas)	3=Glossy (Great Lakes)
1	BLISTERING:	1=Absent/Slight (Salinas)	2=Moderate (Vanguard)	3=Strong (Prize Head)
2	LEAF THICKNESS:	1=Thin	2=Intermediate	3=Thick
1	TRICHOMES:	1=Absent (smooth)	2=Present (spiny)	

5. PLANT (at market stage. Choose a comparison variety appropriate for this type.):

NOT APPLICABLE

SPREAD OF FRAME LEAVES: 3 1 cm This Variety 29 cm Frillice (specify comparison variety)

HEAD DIAMETER (market trimmed with single cap leaf): cm This Variety 20 cm Frillice (specify comparison variety)

5 HEAD SHAPE: 1=Flattened 2=Slightly Flattened 3=Spherical 4=Elongate 5=Non-Heading 6=OTHER

HEAD SIZE CLASS: 1=Small 2=Medium 3=Large

24 HEAD COUNT PER CARTON

HEAD WEIGHT: 3 4 1 9 g This Variety 4873 g Frillice (specify comparison variety)

1 HEAD FIRMNESS: 1=Loose 2=Moderate 3=Firm 4=Very Firm

6. BUTT (bottom of market-trimmed head):

NOT APPLICABLE

3 SHAPE: 1=Slightly Concave 2=Flat 3=Rounded

2 MIDRIB: 1=Flattened (Salinas) 2=Moderately Raised 3=Prominently Raised (Great Lakes 659)

7. CORE (stem of market-trimmed head):

NOT APPLICABLE

29 mm Diameter at base of head

Ratio of head diameter/core diameter

49 Core height from base of head to apex: mm This Variety 26 mm Frillice (specify comparison variety)

8. BOLTING (Give First Water Date 4-1-98):

NOTE: First Water Date is the date seed first receives adequate moisture to germinate. This can and often does equal the planting date.

Number of days from First Water Date to seed stalk emergence (summer conditions): This Variety 112 Frillice (specify comparison variety)

4 BOLTING CLASS: 1=Very Slow 2=Slow 3=Medium 4=Rapid 5=Very Rapid

Height of mature seed stalk: cm This Variety 80 cm Frillice (specify comparison variety)

8. BOLTING cont'd.

Spread of Bolter Plant (at widest point):
 cm This Variety cm Frillice (specify comparison variety)

BOLTER LEAVES: 1=Straight 2=Curved
 MARGIN: 1=Entire 2=Dentate
 COLOR: 1=Light Green 2=Medium Green 3=Dark Green

BOLTER HABIT:

TERMINAL INFLORESCENCE: 1=Absent 2=Present
 LATERAL SHOOTS: (above head) 1=Absent 2=Present
 BASAL SIDE SHOOTS: 1=Absent 2=Present

9. MATURITY (earliness of harvest-mature head formation):

NOT APPLICABLE

NOTE: Complete this section for at least one season.

SEASON	Applic. 1/ #of days	Check 1/ #of days	CHECK VARIETY 2/
Spring	<input type="text" value="0"/> <input type="text" value="6"/> <input type="text" value="8"/>	<input type="text" value="0"/> <input type="text" value="8"/> <input type="text" value="2"/>	<u>Frillice</u>
Summer	<input type="text" value="0"/> <input type="text" value="5"/> <input type="text" value="3"/>	<input type="text" value="0"/> <input type="text" value="6"/> <input type="text" value="6"/>	<u>Frillice</u>
Fall	<input type="text" value="0"/> <input type="text" value="6"/> <input type="text" value="4"/>	<input type="text" value="0"/> <input type="text" value="8"/> <input type="text" value="0"/>	<u>Frillice</u>
Winter	<input type="text" value="0"/> <input type="text" value="8"/> <input type="text" value="6"/>	<input type="text" value="1"/> <input type="text" value="0"/> <input type="text" value="4"/>	<u>Frillice</u>

Give planting date(s), and location(s):

Spring 17, March, 2005 Salinas, California
 Summer 24, June, 2005 Salinas, California
 Fall 19, August, 2005, Salinas, California
 Winter 16, November, 2005 Yuma, Arizona

1/ First water date to harvest.

2/ Fill in check variety name on the appropriate line.

10. ADAPTATION:

PRIMARY REGIONS OF ADAPTION (tested and proven adapted):

(0=Not tested

1=Not Adapted

2=Adapted)

Southwest (Calif., Ariz. desert) West Coast Northeast
 Northcentral Southeast OTHER _____

SEASON:

Spring (area Southwest) Fall (area West Coast)
 Summer (area West Coast) Winter (area Southwest)

GREENHOUSE: 0=Not tested 1=Not Adapted 2=Adapted
 SOIL TYPE: 1=Mineral 2=Organic 3=Both

11. DISEASES AND STRESS REACTIONS (0=Not tested; 1=Susceptible; 2=Intermediate; 3=Resistant; 4=Highly resistant; 5=Tolerant):

VIRUS

- ☐ Big Vein
☐ Lettuce Mosaic
☐ Cucumber Mosaic
☐ Broad Bean Wilt
☐ Turnip Mosaic
☐ Beet Western Yellows
☐ Lett. Infectious Yellows
☐ Other Virus _____

FUNGAL/BACTERIAL

- ☐ Corky Root Rot (Pythium Root Rot)
☐ Downy Mildew (Races _____)
☐ Powdery Mildew
☐ Sclerotinia Rot
☐ Bacterial Soft Rot (Pseudomonas spp. & others)
☐ Botrytis (Gray Mold)
☐ OTHER _____

INSECTS

- ☐ Cabbage Loopers
☐ Root Aphids
☐ Green Peach Aphid
☐ Other Insect _____

PHYSIOLOGICAL/STRESS

- ☐ Tipburn
☐ Heat
☐ Drought
☐ Cold
☐ Salt
☐ Brown Rib (Rib Discoloration, Rib Blight)
☐ OTHER _____

POST HARVEST

- ☐ Pink Rib
☐ Russet Spotting
☐ Rusty Brown Discoloration
☐ Internal Rib Necrosis (Blackheart, Gray Rib, Gray Streak)
☐ Brown Stain

12. BIOCHEMICAL OR ELECTROPHORETIC MARKERS:

13. COMMENTS:

Tarragona is a variety used for Spring Mix only. The leaves are harvested at the 4-6" stage and are not grown to maturity. The data on Exhibit C for Sections 5, 6, 7, & 9 do not apply.

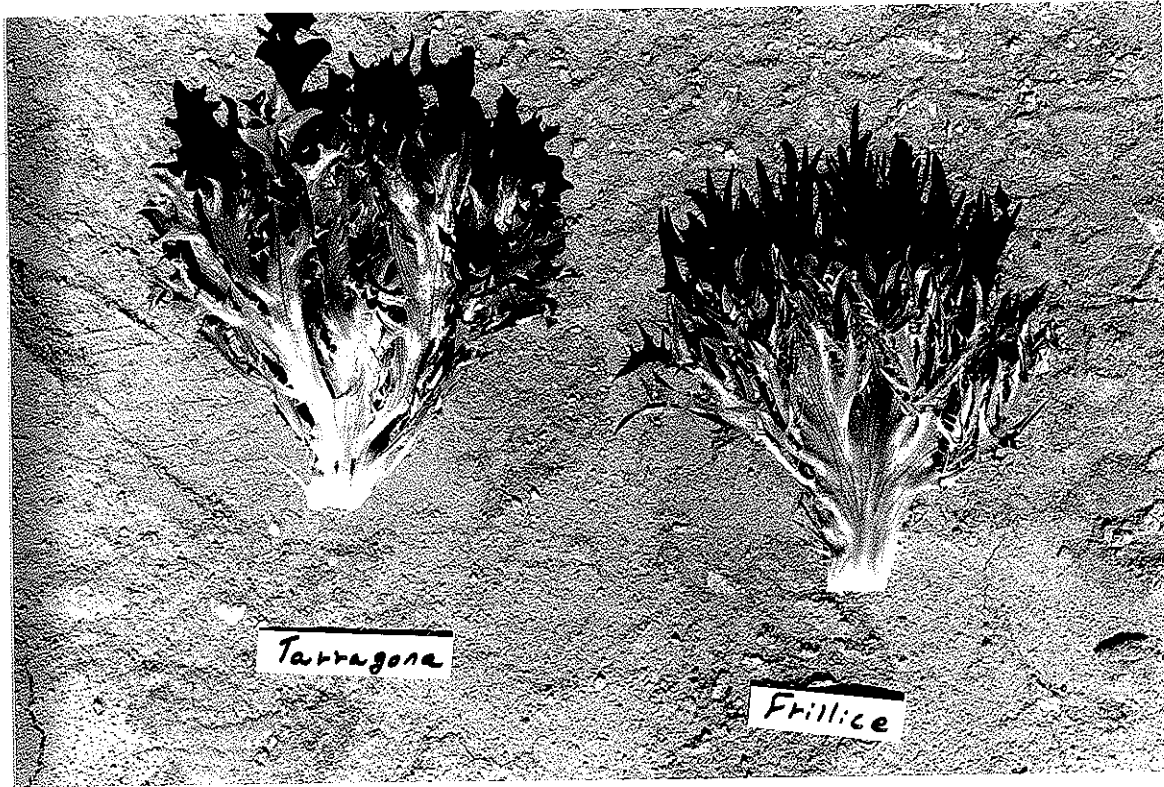
SUGGESTED CHECK VARIETIES.

<u>TYPE</u>	<u>CHECK VARIETY</u>
1) CUTTING/LEAF	SALAD BOWL
2) BUTTERHEAD	DARK GREEN BOSTON
3) BIBB	BIBB
4) COS, OR ROMAINE	PARRIS ISLAND
5) GREAT LAKES GROUP	GREAT LAKES 659-700
6) VANGUARD GROUP	VANGUARD
7) IMPERIAL GROUP	VIVA
8) EASTERN GROUP	ITHACA
9) STEM	CEL TUCE
10) LATIN	MATCHLESS

200000129



'Tarrangona'



U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) SEMINIS VEGETABLE SEEDS	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER GX920	3. VARIETY NAME TARRAGONA
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 37437 STATE HIGHWAY 16 WOODLAND, CA 95695	5. TELEPHONE (include area code) 530-669-6172	6. FAX (include area code) 530-666-6791
7. PVPO NUMBER 2000000129		

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain.

☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company?
If no, give name of country

☒ YES ☐ NO

10. Is the applicant the original breeder? If no, please answer the following:

☒ YES ☐ NO

a. If original rights to variety were owned by individual(s):

Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country

☐ YES ☐ NO

b. If original rights to variety were owned by a company:

Is the original breeder(s) U.S. based company? If no, give name of country

11. Additional explanation on ownership (If needed, use reverse for extra space):

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.

If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.

If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

The reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and reviewing the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

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